

Senate File 435

H-1337

1 Amend the amendment, H-1297, to Senate File 435,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, after line 9 by inserting:

5 <DIVISION _____
6 GENERAL FUND
7 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
8 WATER QUALITY

9 Sec. _____. SPECIAL PROJECTS.

10 1. There is appropriated from the general fund of
11 the state to the department of agriculture and land
12 stewardship for the fiscal year beginning July 1, 2013,
13 and ending June 30, 2014, the following amount, or
14 so much thereof as is necessary, to be used for the
15 purposes designated:

16 For deposit in the water quality initiative fund
17 created in section 466B.46, as enacted by this Act, for
18 purposes of supporting special projects associated with
19 a water quality initiative administered by the soil
20 conservation division as provided in section 466B.42 as
21 enacted by this Act:

22 \$ 10,000,000

23 2. a. Seventy percent of the moneys shall be used
24 to support projects in subwatersheds as designated by
25 the division that are part of high-priority watersheds
26 identified by the water resources coordinating council
27 established pursuant to section 466B.3.

28 b. Thirty percent of the moneys shall be used to
29 support projects in watersheds generally, including
30 regional watersheds, as designated by the division,
31 and high-priority watersheds identified by the water
32 resources coordinating council established pursuant to
33 section 466B.3.

34 3. In supporting projects in subwatersheds and
35 watersheds as provided in subsection 2, the division
36 shall do all of the following:

37 a. Utilize water quality practices as described
38 in the latest revision of the document entitled "Iowa
39 Nutrient Reduction Strategy" initially presented in
40 November 2012 by the department of agriculture and land
41 stewardship, the department of natural resources, and
42 Iowa state university of science and technology.

43 b. Participate with persons who hold a legal
44 interest in agricultural land used in farming. To
45 every extent practical, the division shall provide for
46 collaborative participation by such persons who hold a
47 legal interest in agricultural land located within the
48 same watershed.

49 c. Finance the establishment of water quality
50 practices on a cost-share basis as determined by the

1 division. However, the state's share of the amount
2 shall not exceed 50 percent of the estimated cost of
3 establishing the water quality practice as determined
4 by the division or 50 percent of the actual cost of
5 establishing the water quality practice, whichever is
6 less.

7 4. Notwithstanding any other provision in law
8 to the contrary, the department may use moneys
9 appropriated in subsection 1 in combination with
10 other moneys appropriated to the department from the
11 environment first fund created in section 8.57A for
12 cost sharing to match the United States department of
13 agriculture, natural resources conservation service,
14 wetland reserve enhancement program.

15 Sec. _____. FEDERAL MONEYS. The department of
16 agriculture and land stewardship, and its soil
17 conservation division, may use moneys appropriated in
18 this division of this Act to support the water quality
19 initiative, including its projects, as provided in this
20 division of this Act, in combination with other moneys
21 provided by the United States government.>

22 2. Page 25, after line 1 by inserting:

23 <Sec. _____. Section 466B.1, Code 2013, is amended to
24 read as follows:

25 **466B.1 Short title.**

26 This ~~chapter~~ subchapter shall be known and may
27 be cited as the "*Surface Water Protection and Flood
28 Mitigation Act*".

29 Sec. _____. Section 466B.2, unnumbered paragraph 1,
30 Code 2013, is amended to read as follows:

31 For the purposes of this ~~chapter~~ subchapter, unless
32 the context otherwise requires:

33 Sec. _____. Section 466B.21, Code 2013, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 4. "*Watershed*" means the same as
36 defined in section 466B.2.

37 Sec. _____. NEW SECTION. **466B.41 Definitions.**

38 As used in this subchapter, unless the context
39 otherwise requires:

40 1. "*Division*" means the division of soil
41 conservation within the department of agriculture and
42 land stewardship as established in section 161A.4.

43 2. "*Fund*" means the water quality initiative fund
44 created in section 466B.46.

45 3. "*Nutrient*" includes nitrogen and phosphorus.

46 4. "*Regional watershed*", "*subwatershed*", and
47 "*watershed*" mean the same as defined in section 466B.2.

48 Sec. _____. NEW SECTION. **466B.42 Water quality
49 initiative.**

50 The division shall establish a water quality

1 initiative in order to assess and reduce nutrients in
2 this state's watersheds, including subwatersheds, and
3 regional watersheds. The division shall establish
4 and administer projects to reduce nutrients in
5 surface waters from nonpoint sources in a scientific,
6 reasonable, and cost-effective manner. The division
7 shall utilize a pragmatic, strategic, and coordinated
8 approach with the goal of accomplishing reductions over
9 time.

10 Sec. ____ . NEW SECTION. 466B.46 Water quality
11 initiative fund.

12 1. A water quality initiative fund is created in
13 the state treasury under the management and control of
14 the division.

15 2. The fund shall include moneys appropriated
16 by the general assembly. The fund may include other
17 moneys available to and obtained or accepted by the
18 division, including moneys from public or private
19 sources.

20 3. Moneys in the fund are appropriated to the
21 division and shall be used exclusively to carry out
22 the provisions of this subchapter as determined by
23 the division, and shall not require further special
24 authorization by the general assembly.

25 4. a. Notwithstanding section 12C.7, interest or
26 earnings on moneys in the fund shall be credited to the
27 fund.

28 b. Notwithstanding section 8.33, moneys
29 appropriated or otherwise credited to the fund for a
30 fiscal year shall not revert to the fund from which
31 appropriated at the close of the fiscal year for which
32 the appropriation was made but shall remain available
33 for expenditure for the purposes designated until the
34 close of the fiscal year that begins two years from
35 the beginning date of the fiscal year for which the
36 appropriation was made.

37 Sec. ____ . CODE EDITOR. The Code editor shall
38 codify sections 466B.41 through 466B.46, as enacted by
39 this division of this Act, as a new subchapter.>

40 3. By renumbering as necessary.

BEARINGER of Fayette

ABDUL-SAMAD of Polk

ANDERSON of Polk

BERRY of Black Hawk

COHOON of Des Moines

DUNKEL of Dubuque

FORBES of Polk

GAINES of Polk

GASKILL of Wapello

HANSON of Jefferson

HEDDENS of Story

HUNTER of Polk

JACOBY of Johnson

KEARNS of Lee

KELLEY of Jasper

KRESSIG of Black Hawk

LENSING of Johnson

LUNDBY of Linn

LYKAM of Scott

MASCHER of Johnson

H. MILLER of Webster

MUHLBAUER of Crawford

MURPHY of Dubuque

OLDSON of Polk

T. OLSON of Linn

OURTH of Warren

PRICHARD of Floyd

RIDING of Polk

RUFF of Clayton

M. SMITH of Marshall

STAED of Linn

STECKMAN of Cerro Gordo

STUTSMAN of Johnson

T. TAYLOR of Linn

THEDE of Scott

THOMAS of Clayton

WESSEL-KROESCHELL of Story

WINCKLER of Scott

WOOD of Scott